

RELEASE OF LIABILITY STATEMENT

The proponent for this form is U.S. Army Cadet Command

In consideration of being permitted to climb the "Rock Climbing Wall" presented by the U.S. Army Cadet Command, on behalf of myself, my personal representatives, heirs, and assigns, I hereby release and discharge the United States, its agents, servants, or employees from any and all claims for property damage and/or personal injury or death resulting from my attempt to climb or descend the Rock Climbing Wall. This release covers the negligent use, maintenance, construction, or design of the Rock Climbing Wall, and the negligent supervision of my use of the Rock Climbing Wall. My signature further certifies that I have read, understand and will comply with the climbing safety instructions stated on the reverse of this form.

Name of Climber:	Signature of Climber or Parent::	Date:
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Last Name	First Name	MI	(If under 18, signature of Parent: required)
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The information you voluntarily provide below, to include your Social Security Number, will be used for marketing and recruiting purposes, to determine effectiveness of the Rock Climbing Wall as a recruiting tool.

Address:

City:	State:	Zip Code:
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Phone:	Date of Birth:
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e-mail address:	Social Security Number:
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College attending or planning to attend:	City:	State:
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U.S. Army Cadet Command
Rock Climbing Wall
Climbing Safety Instructions

1. Climbers will obey the instructions of Army safety personnel at all times
2. Climbers will climb one at a time only, with two Army personnel in spotting position.
3. Climbers will wear appropriate footgear – sandals are not permitted.
4. Climbers will certify their own general good health to Army personnel prior to climbing.

June 16, 2000

Office of the Staff Judge Advocate

Mr. Tim O'Toole
President/General Manager
Oklahoma RedHawks

Re: Liability of the United States Under the Federal Tort Claims Act

Dear Mr. O'Toole:

This letter is prepared to inform you regarding liability insurance provisions for the United States Army Recruiting Command and the Army rock climbing wall. The Recruiting Command is an agency of the United States Government and is self-insured, as are all Federal agencies. United States governmental agencies are not authorized to purchase commercial insurance and are prohibited by the Anti-Deficiency Act (31 U.S. Code, Section 1341(a)) from executing indemnification agreements. The Government is liable for the negligence of its officers and employees under the provisions of the Federal Tort Claims Act, 28 U.S. Code, Section 2671. Claims against the Government for activities of officers or employees of the United States Army may be filed at the nearest U.S. Army claims office.

Please contact me at 502-626-0547 if you have any questions about this matter.

Sincerely,

Timothy G. Goblirsch
Attorney-Advisor

CF: Linda Garrett, Oklahoma City Recruiting Battalion